



Brussels, 14.1.2016
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COMMISSION IMPLEMENTING DECISION

of 14.1.2016

**concerning the adoption of the work programme for 2016 in the framework of ERDF
and Cohesion Fund for the use of technical assistance, serving as financing decision**

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concerning the adoption of the work programme for 2016 in the framework of ERDF and Cohesion Fund for the use of technical assistance, serving as financing decision

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of 17 December 2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006¹, and in particular Article 58 thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Whereas:

- (1) In order to ensure the implementation of the work programme for 2016 in the framework of European Regional Development Fund (ERDF) and Cohesion Fund (CF) for the use of technical assistance, it is necessary to adopt a financing decision and the work programme for 2016. Article 94 of Commission Delegated Regulation (EU) No 1268/2012³ establishes detailed rules on financing decisions.
- (2) The authorising officer responsible should be able to award grants without a call for proposals provided that the conditions for an exception to a call for proposals in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012 are fulfilled.
- (3) It is necessary to allow for the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (4) In order to allow for flexibility in the implementation of the work programme, it is appropriate to define the term 'substantial change' within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012,

¹ OJ L 347, 20.12.2013, p.320.

² OJ L 298, 26.10.2012, p. 1.

³ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

HAS DECIDED AS FOLLOWS:

Article 1
The work programme

The annual work programme for the implementation of technical assistance in the framework of ERDF and Cohesion Fund for 2016, as set out in the Annex, is adopted.

The annual work programme constitutes a financing decision within the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012.

Article 2
Union contribution

The maximum Union contribution for the implementation of the programme for 2016 is set at EUR 89 080 000, and shall be financed from the appropriations entered in the following lines of the general budget of the Union for 2016:

- (a) budget line 13 03 65 01: EUR 67 990 000;
- (b) budget line 13 04 61 01: EUR 21 090 000.

The appropriations provided for in the first paragraph may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft general budget of the Union for 2016, following the adoption of that budget by the budgetary authority or as provided for in the system of provisional twelfths.

Article 3
Flexibility clause

Cumulated changes to the allocations to specific actions not exceeding 20% of the maximum contribution set in Article 2 of this Decision shall not be considered to be substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, where those changes do not significantly affect the nature of the actions and the objective of the work programme. The increase of the maximum contribution set in Article 2 of this Decision shall not exceed 5.06%.

In implementing this decision, the authorising officer responsible may apply the type of changes referred to in the first paragraph in accordance with the principles of sound financial management and proportionality.

Article 4
Grants

Grants may be awarded without a call for proposals to the bodies referred to in points 3.1 of the Annexes I and II, in accordance with the conditions set out therein.

Done at Brussels, 14.1.2016

For the Commission
Corina CREȚU
Member of the Commission

